



Winston H. Hickox
*Secretary for
Environmental
Protection*

California Regional Water Quality Control Board

North Coast Region

William R. Massey, Chairman



Gray Davis
Governor

Internet Address: <http://www.swrcb.ca.gov/rwqcb1/>
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Mailout date: February 7, 2002

NOTICE OF A PUBLIC MEETING/HEARING

AGENDA

REGIONAL WATER BOARD MEETING

Wednesday, February 27, 2002 and

Thursday, February 28, 2002

Wharfinger Building

#1 Marina Way

Eureka, CA

52 Years Serving the North Coast Region: Portions of Sonoma, Mendocino, Marin, Humboldt, Del Norte, Trinity, Siskiyou, Lake, Glenn, and Modoc Counties

For questions regarding this agenda, please call Jean Lockett at (707) 576-2307 or FAX at (707) 523-0135. This notice and associated staff reports can be accessed electronically through our internet address: <http://www.swrcb.ca.gov/rwqcb1/> (note: agenda items should be available electronically on February 21, 2002.)

Please note that time limitations on presentations may be imposed. The Regional Water Board requests that oral testimony be summarized. Submittal of written comments is encouraged to ensure that all comments will be included in the record before the Board.

Workshop items involve detailed staff presentations, and generally no action of the Regional Board is required or expected. Brief public comments may be accepted at the completion of the staff presentation during any workshop.

Estimated times of consideration – Items are numbered for convenience only and will not necessarily be considered in this order. Interested persons are encouraged to be present in advance of the listed time.

California Environmental Protection Agency



Recycled Paper

Wednesday, February 27, 2002**1:00 p.m.**

- i. Pledge of Allegiance
- ii. Roll Call and Introductions
1. Workshop: Discussion of Fine Sediment Monitoring

Thursday, February 28, 2002**9:00 a.m.****

- iii. Pledge of Allegiance
- iv. Roll Call and Introductions
- v. Minutes of Past Meetings
- vi. Board Member Ex Parte Communication Disclosure - Board Members will identify any discussions they may have had requiring disclosure pursuant to Government Code Section 11430.50.
- vii. **Public Forum** - Time will be reserved for the general public to address the Board on any subject relating to the Board's responsibilities. The Chair will determine the number of persons who wish to speak. The Chair requests that each person addressing the Board limit their presentation to three minutes. More lengthy items may be calendared for a future meeting.

**CONSENT CALENDAR
WASTE DISCHARGE REQUIREMENTS**

Note: The consent items are expected to be routine and noncontroversial. It is recommended that the Board adopt these items at the beginning of the meeting without discussion. If any interested party, Board Member, or staff member requests that an item be removed from the Consent Calendar, it will be considered separately.

2. *Order No. R1-2002-0020 Willits Redwood Company*, Willits Sawmill, Mendocino County, Recision of WDRS, WDID No. 1B89031RMEN.

Kristen James

California Environmental Protection Agency



Recycled Paper

CORRECTIVE ACTION

3. *Order No. R1-2002-0015* **PUBLIC HEARING** to Consider Whether to Affirm, Reject, or Modify a Complaint for Administrative Civil Liability issued on January 18, 2002, to Mr. Brian Craig in the amount of \$30,000 for failure to submit a site investigation report pursuant to Section 13267 (b) of the California Water Code.
- Cody Walker*

OTHER BUSINESS

4. State Water Resources Control Board / Regional Water Quality Control Board, *Strategic Plan – A Vision for the Future*
- Art Baggett
Frank Reichmuth*
5. Strategic Planning for the North Coast Region
- Susan Warner*
6. North Coast Regional Water Quality Control Board 18-Month Workplan of Activities
- Susan Warner*
7. Status Report on Implementation of Mandatory Minimum Penalties Enforcement Actions for Small Communities
- Bob Tancreto*
8. Update on Cleanup Programs and Activities in Humboldt County
- Luis Rivera*
9. Update on the North Coast Watershed Assessment Program
- Robert Klamt*
10. Presentation by the Redwood Creek Landowner's Association on the Status of Out-migrant Counts in Redwood Creek
- Rangit Gill*
11. Progress Report on Activities to Implement the Triennial Review
- Dave Evans*
12. Sonoma Pacific Cellulose Proposal
- Tom Dunbar*
13. Report on the Remand of the Humboldt Watershed Council Petition, Elk River and Freshwater, Bear, Jordan, and Stitz Creeks
Note: This item will not be heard before 1:30 p.m.
- Nathan Quarles*
14. Schedule for TMDL Activities in Freshwater Creek and Elk River Basins
- Holly Lundborg*
15. Discussion on Forest Practice Rules Related to Watercourse and Lake Protection Zones
- Nathan Quarles*
16. Update on Eureka Satellite Office
- Kathleen Daly*
17. Report on Budget Matters
- Frank Reichmuth*
18. Training Program
- Frank Reichmuth*
19. Update on the Definition of Liners for Wastewater Ponds
- Robert Tancreto*



20. Violation and Enforcement Report *Frank Reichmuth*
21. State and Regional Water Board Communications *Susan Warner*
State and Regional Board members may update each other on recent Events – no action will be taken on any discussion matter
22. Executive Officer Administrative Civil Liabilities *Susan Warner*

EXECUTIVE OFFICER'S REPORT

23. Monthly Report to the Board *Written*
24. Leaking Underground Storage Tanks/Sewage Spills *Written*
25. Proposition 65 Notifications *Written*
26. Other Items of Interest *Susan Warner*

CLOSED SESSIONS

27. Closed Session. On February 28, 2002, the Regional Water Board will be meeting in closed session to discuss significant exposure to litigation. [Authority: Government Code Section 11126(e)(2)(B)(i).]
28. Closed Session. On February 28, 2002, the Regional Water Board will be meeting in closed session to discuss whether to initiate litigation: in the following matter, *In re Arcata Readimix* [Authority: Government Code Section 11126(e)(2)(C)(i).]
29. Closed Session. On February 28, 2002, the Regional Water Board will be meeting in closed session to discuss an employee evaluation. [Authority: Government Code Section 11126(a)(1).]
30. Closed Session. On February 28, 2002, the Regional Water Board will be meeting in closed session to confer with its legal counsel regarding *Russian River County Sanitation District and Sonoma County Water Agency v. State Water Resources Control Board and Regional Water Quality Control Board, North Coast Region*, Marin Superior Court, Case No. CV994924. [Authority: Government Code Section 11126(e)(2)(A).]
31. Closed Session. On February 28, 2002, the Regional Water Board will be meeting in closed session to confer with its legal counsel regarding *City of Healdsburg v. North Coast Regional Water Quality Control Board*, Sonoma County Superior Court Sonoma Co. Sup. Ct. Case No. 228173, and related case *California Regional Water Quality Control Board, North Coast v. City of Healdsburg*, Sonoma Co. Sup. Ct. Case No. 228570 [Authority: Government Code Section 11126(e)(2)(A).]



***Items are numbered for convenience only and will not necessarily be considered in this order. Interested persons are encouraged to be present in advance of the listed time.*

Anyone requiring reasonable accommodation to participate in the meeting should contact Jean Lockett, Secretary, at (707) 576-2307, at least five days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Unless otherwise specified in the public notice for a specific item, the Board wishes to limit oral presentations from all parties (dischargers, staff, government agencies, the public, etc.) to 0.5 hour maximum per party, but may limit testimony to 3 minutes per party, depending on time constraints. Interested persons should submit to the Regional Water Board office at 5550 Skylane Boulevard, Suite A, Santa Rosa, California, 95403, FAX (707) 523-0135, twelve written copies of all comments, technical reports, and other material concerning any matters on this agenda by 5:00 p.m. on February 14, 2002. This written material will be provided to the Regional Water Board Members along with the full agenda materials. In addition, persons submitting written comments and other materials should be present at the Regional Water Board Meeting and available for questions. The Board's general practice is to not accept new written materials on the day of the hearing. Comments at the above scheduled meeting should be limited to a summary of the previously submitted written materials, provided however, that upon a proper showing that information is available which was not available at the time the written materials were submitted, the Board may allow further submission of oral or written comments. If this showing is not made, the Board may refuse to accept written materials.

A copy of the procedures governing Regional Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq., and is available upon request. Hearings before the Regional Water Board are not conducted pursuant to Government Code Section 11500 et seq. The procedures may be obtained by accessing our web site at http://www.swrcb.ca.gov/water_laws/index.html.

The Regional Water Board processes requests for Water Quality Certification, pursuant to Section 401 of the Clean Water Act, to ensure that proposed federally-permitted activities will comply with the Regional Water Board's water quality standards. A listing of requests which are pending Regional Water Board staff action may be obtained by calling the office of the North Coast Regional Water Board at (707) 576-2220. The list may be obtained by accessing our web site at <http://www.swrcb.ca.gov/rwqcb1>.

The Regional Water Board provides routine public notices on proposed corrective actions and closure decisions related to cleanup on contaminated sites. These routine notices are published on our web site at <http://www.swrcb.ca.gov/rwqcb1> and a copy is maintained at our office for public review.

A quorum of the members of the Regional Water Board may recess for lunch; however, no business will be discussed.

Material presented to the Board, as part of testimony that is to be made part of the record must be left with the Board. This includes photographs, slides, charts, diagrams, written testimony, etc. All Board files pertaining to the items on this agenda are hereby made a part of the record submitted to the Regional Water Board by staff for its consideration prior to action on the related items.

All persons who actively support or oppose the adoption of waste discharge requirements or an NPDES permit being considered by the Regional Water Board must submit a statement to the Board disclosing any contribution of \$250 or more to any Regional Water Board Member. This requirement applies to contributions of \$250 or more made by the active supporter or opponent or his/her agent for use in federal, state or local elections within the last 12 months.



Also, all permit applicants and/or persons who actively support or oppose adoption of a set of waste discharge requirements or an NPDES Permit pending before the Regional Water Board are prohibited from making a contribution of \$250 or more to any Board Member for three months following a Regional Water Board decision on the permit application.

Any person affected adversely by a decision of the Regional Water Board may petition the State Water Resources Control Board (State Water Board), to review the decision. The State Water Board must receive the petition within 30 days of the Regional Water Board's meeting at which the action was taken. Copies of the laws and regulations applicable to filing a petition will be provided upon request. They can also be reviewed on the web by following the link at http://www.swrcb.ca.gov/water_laws/index.html.

The next Regional Water Board workshop and Board meeting is currently scheduled for March 27 and 28, 2002, in Santa Rosa.



California Regional Water Quality Control Board
North Coast Region

Board Members

William R. Massey, Chair, Forestville
Dina Moore, Vice Chair, Kneeland
John W. Corbett, McKinleyville
Richard D. Grundy, Santa Rosa,
Shawn P. Harmon, Ukiah
William A. Hoy, Weed
John R. Selvage, Eureka
Bev Wasson, Rio Nido

Staff

Susan A. Warner, Executive Officer
Frank Reichmuth, Acting Assistant Executive Officer, Ombudsman
Kathleen Daly, Staff Services Manager I (Administration)
Patricia Gorup, Small Business Liaison
Jean Lockett, Secretary
Sheryl Freeman, Legal Counsel
Erik Spiess, Legal Counsel

Watershed Protection Division

Robert L. Tancreto, Supervising Water Resource Control Engineer
John Short, Senior Water Resource Control Engineer (Russian River)
Thomas B. Dunbar, Senior Water Resource Control Engineer (Klamath, Trinity, Eel, Humboldt)
William Winchester, Senior Environmental Scientist (Nonpoint Source/Chapter 15)

Timber Harvest Division

Nathan P. Quarles, Acting Supervising Water Resource Control Engineer
Christine Wright-Shacklett, Senior Engineering Geologist (North Coast)
Fred Blatt, Senior Environmental Scientist (Klamath, Trinity)
Diana Henriouille-Henry, Senior Water Resource Control Engineer (Headwaters Unit)
Holly A. Lundborg, Interim Senior Engineering Geologist (Humboldt Bay, Eel River)

Cleanup and Investigation Division

Luis G. Rivera, Supervising Water Resource Control Engineer (Central Watershed)
Mark Bartson, Senior Water Resource Control Engineer (Santa Rosa)
Tuck Vath, Senior Engineering Geologist (Northern Watershed)
Janice M. Goebel, Interim Senior Environmental Scientist (Central Watershed)

Watershed Management Division

Ranjit Gill, Supervising Environmental Program Manager I
Robert Klamt, Senior Land & Water Use Analyst (Watershed Assessment Unit)
David Evans, Senior Water Resource Control Engineer (Planning Unit)
David Leland, Senior Water Resource Control Engineer (TMDL Unit)



Bill of Rights for Environmental Permit Applicants

The California Environmental Protection Agency (Cal/EPA) endorses the following precepts that form the basis of a permit applicant's "Bill of Rights":

1. Permit applicants have the right to assistance in understanding regulatory and permit requirements. All Cal/EPA programs maintain an Ombudsman to work directly with applicants. Permit Assistance Centers located throughout California have permit specialists from all State, regional, and local agencies to identify permit requirements and assist in permit processing.
2. Permit applicants have the right to know the projected fees for review of applications, how any costs will be determined and billed, and procedures for resolving any disputes over fee billings.
3. Permit applicants have the right of access to complete and clearly written guidance documents that explain the regulatory requirements. Agencies must publish a list of all information required in a permit application and of criteria used to determine whether the submitted information is adequate.
4. Permit applicants have the right of timely completeness determinations for their applications. In general, agencies notify the applicant within 30 days of any deficiencies or determine that the application is complete. California Environmental Quality Act (CEQA) and public hearing requests may require additional information.
5. Permit applicants have the right to know exactly how their applications are deficient and what further information is needed to make their applications complete. Pursuant to California Government Code Section 65944, after an application is accepted as complete, an agency may not request any new or additional information that was not specified in the original application.
6. Permit applicants have the right of a timely decision on their permit application. The agencies are required to establish time limits for permit reviews.
7. Permit applicants have the right to appeal permit review time limits by statute or administratively that have been violated without good cause. For state environmental agencies, appeals are made directly to the Cal/EPA Secretary or to a specific board. For local environmental agencies, appeals are generally made to the local governing board or, under certain circumstances, to Cal/EPA. Through this appeal, applicants may obtain a set date for a decision on their permit and in some cases a refund of all application fees (ask boards and departments for details).
8. Permit applicants have the right to work with a single lead agency where multiple environmental approvals are needed. For multiple permits, all agency actions can be consolidated under lead agency. For site remediation, all applicable laws can be administered through a single lead agency.
9. Permit applicants have the right to know who will be reviewing their application and the time required to complete the full review process.

For further information you may contact the North Coast Regional Water Quality Control Board at (707) 576-2220.

